

Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1836 OF 2020
IN
FIRST APPEAL NO.466 OF 2021**

The Executive Engineer,
Gunjawani Project

... Applicant

V/s.

Shripati Maruti Kokate, since deceased
through L.Rs. Narmada Shripati Kokate
& Ors.

... Respondents

Mr. Sachin Gite with Mr. Sarfaraj Shaikh i/by Mr. C.A.
Deshmukh for the applicant.

Ms. Tanaya Goswami, AGP for the State.

Ms. Amrita Kharkar for the respondent.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 25, 2023

P.C.:

1. This is an application for stay to the impugned Judgment and Decree. The applicant is acquiring body. Learned advocate for the applicant states that acquiring body is ready to deposit the entire decretal amount along with interest before the learned Reference Court.

2. Perused the Judgment and Award passed by the learned Reference Court. Having heard the both sides, the applicant has made out a case for grant of interim relief, subject to deposit of entire decretal amount. Hence, following order :-

3. The Interim Application is allowed in terms of prayer clause (a), subject to deposit of entire decretal amount along with interest before the Reference Court within Eight (8) weeks from today.
4. It is made clear that if the applicant fails to deposit the amount within stipulated period of Eight (8) weeks from today the interim relief shall stand vacated forthwith without further reference to the Court.
5. The Interim Application stands disposed of in the above terms. No costs.

(AMIT BORKAR, J.)